

## UNITED STATES DISTRICT COURT

for the

Eastern District of California

United States of America )

v. )

**ANTONIO STARKS** )Case No: 2:03CR00363-01USM No: 14631-097Date of Previous Judgment: 03/23/2005 )David M. Porter, Assistant Federal Defender

(Use Date of Last Amended Judgment if Applicable) )

Defendant's Attorney**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months **is reduced to** \*121 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 31Amended Offense Level: 29Criminal History Category: IVCriminal History Category: IVPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 121 to 151 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 3/23/2005 shall remain in effect.

**IT IS SO ORDERED.**Order Date: July 15, 2008

Effective Date: \_\_\_\_\_  
(If different from order date)



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE